

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

SEPTEMBER 20, 2005

COUNTY COMMISSIONERS

**Jennifer Hill, Chairman
Catherine C. Hanson, Vice Chairman
Robert A. Pool, District #2
Debbie Stivender, District #3
Welton G. Cadwell, District #5**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

September 6, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

August 2, 2005 Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9):

1. Contractor Bonds – New, Renewal, and Cancellations– Approval.
2. List of warrants paid prior to this meeting, pursuant to Chapter 136 of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
3. City of Leesburg Ordinance Number 05-66, annexing certain real property, consisting of approximately 192 acres, based upon the petition of A. A. Moukhtara Company, for property, as described. Passed and adopted on the 22nd day of August 2005 – Acknowledge receipt.

4. Engagement Letter from Ernst & Young, to perform arbitrage rebate computations for the current computation period on the following debt – Acknowledge receipt:
\$51,515,196.33, Resource Recovery Industrial Development Refunding Revenue Bonds (Covanta Lake II, Inc. Project) Series 2004 - \$3,000.00
\$4,400,000.00, Sales Tax Revenue Bonds (Pari-Mutuel Revenues Replacement Program) Series 2000 - \$3,000.00
5. Ordinances from the City of Clermont, Acknowledge receipt, as follows:
Ordinance Number 499-M – Providing for annexation of a certain parcel of land contiguous to the present city boundaries, for property, as described. Passed the 23rd day of August 2005.
Ordinance Number 528-M – Providing for annexation of a certain parcel of land contiguous to the present city boundaries, for property, as described. Passed the 23rd day of August 2005.
6. Ordinances from the City of Mascotte, Acknowledge receipt, as follows:
Ordinance Number 2005-05-382 – Annexing Certain Property, as described, BL Land Investments, LLC, owners. Passed and adopted the 22nd day of August 2005.
Ordinance Number 2005-07-384 – Annexing Certain Property, as described, RJ Whidden, for Langley/Crittenden Partnership; Gene Langley and Duke Crittenden, owners. Passed and adopted the 22nd day of August 2005.
Ordinance Number 2005-07-385 – Annexing Certain Property, as described, Ellis Trustees; Dean and Karen Ellis, Trustees, owners. Passed and adopted the 22nd day of August 2005.
Ordinance Number 2005-07-386 – Annexing Certain Property, as described, Gene Langley, owner. Passed and adopted the 22nd day of August 2005.
7. Lake County Water Authority's DRAFT Tentative Budget for FY 2005-2006 - Acknowledge receipt.
8. City of Eustis Comprehensive Plan Amendment - Acknowledge receipt.

9. Public Meeting Notice from the St. Johns River Water Management District to All Interested Parties, to discuss the 2005 District Water Supply Plan (draft), new legislative requirements affecting local governments, and the Florida Water Protection and Sustainability Program. The following times are scheduled:

- Tuesday, October 4, 2005, 10 a.m. to noon, Sanford City Commission Chambers, 300 North Park Street, Sanford
- Thursday, October 6, 2005, 10 a.m. to noon, Price Martin Center, 220 North 11th Street, Palatka

The draft plan is available on the District's Web site; CD or paper copy of the draft plan is also available; and written and e-mail comments on the draft plan can be submitted, as explained in the notice – Acknowledge receipt.

RECOMMENDATION: Approval

IV. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 34)

A. **Budget**

Tab 3

1. Budget transfer – Village Green Street Lighting Fund, Office of Budget, Assessments Division. Transfer \$150.00 from Special Reserve to Utility Services. Additional funds are required in Utility Services to pay the remaining utility invoices for Fiscal Year 2005 for the Village Green Street Lighting Subdivision. The electric rate increase by Progress Energy was more than anticipated. Funds available in Special Reserve.

RECOMMENDATION: Approval

2. Budget transfer – Valencia Terrace Street Lighting Fund, Office of Budget, Assessments Division. Transfer \$422.00 from Special Reserve to Utility Services. Additional funds are required in Utility Services to pay the remaining utility invoices for Fiscal Year 2005 for the Valencia Terrace Street Lighting Subdivision. The electric rate increase by the City of Leesburg was more than anticipated. Funds available in Special Reserve.

RECOMMENDATION: Approval

3. Budget transfer – Fleet Maintenance Fund, Department of Public Works, Special Services Division, Fleet Maintenance section. Transfer \$50,000.00 from Special Reserve to Operating Supplies. More funds are needed to cover fuel purchases for the remainder of the fiscal year due to the escalating price of fuel. Funds available in Special Reserve. Balance remaining after this transfer will be \$29,466.00.

RECOMMENDATION: Approval

4. Budget transfer – Transportation Disadvantaged Fund, Department of Community Services, Transportation Disadvantaged Division. Transfer \$160,000.00 from Special Reserve to Contractual Services. At mid-year, additional funds were transferred from the General Fund into the Transportation Disadvantaged Fund to supplement funding for the new transportation contract. Some of this funding was put into Reserves until the final contract negotiations were complete. At this time, funds need to be transferred to Contractual Services for payment to the transit provider through September 30, 2005. Funds available in Special Reserve. Balance remaining after this transfer will be \$16,540.00. ***Also, approval of the change order for the Purchase Order to complete the contract for Fiscal Year 2005.***

RECOMMENDATION: Approval

5. Resolution to amend the Fleet Maintenance Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$75,000.00 deposited into Fuel/Oil (\$50,000.00) and Parts (\$25,000.00); and provide appropriations for the disbursement for Operating Supplies. Funds have been received from the Transportation Disadvantaged Program for the repair and maintenance of vehicles and fuel costs for April, May, and June 2005.

RECOMMENDATION: Approval

6. Resolution to amend the Transportation Disadvantaged Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$258,141.00 deposited into Reimbursements and provide appropriations for the disbursement for Contractual Services. Reimbursement funding has been received for bus repair, maintenance, and operating supplies.

RECOMMENDATION: Approval

B. Community Services

Tab 4 Approval and signature of grant agreement and authorization for the BCC Chairman to sign related documents and report forms related to the Public Library Construction Grant award for Citrus Ridge Library.

RECOMMENDATION: Approval

Tab 5 Approval and signature authorization to amend the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) effective the Fiscal Year 2005-2006.

RECOMMENDATION: Approval

Tab 6 Approval and signature on the Fiscal Year 2005-2006 State Aid to Libraries Grant Application and Agreement.

RECOMMENDATION: Approval

Tab 7 Approval to accept grant funding in the amount of \$7,200.00 for the Operation Step Up Fall 2005 Disaster Volunteer Management initiative from Volunteer Florida, the Governor's Commission on Volunteerism and Community Services; and approval associated Resolution to amend the Lake County General Fund in order to receive funding as unanticipated revenue.

RECOMMENDATION: Approval

Tab 8 Approval of Agreements between Lake County and Adventist Health System/Sunbelt, Inc. and Business Associate Agreement for hospital services relating to inpatient hospital care for inmates at the Lake County jail.

RECOMMENDATION: Approval

C. Economic Development and Tourism

Tab 9 Approval of a request to extend the two year requirement to begin construction for one additional year for Britt Construction upon the purchase of Lot 16 in the Christopher C. Ford Commerce Park and extend the construction period to November 16, 2006.

RECOMMENDATION: Approval

D. Employee Services

Tab 10 Approval to accept the Contract Renewal for Health Insurance Third Party Administrator Services from WebTPA for medical claims, including adding access to Health-e Outlook (Wellness website) and extending the eligible claims period for Flexible Spending Accounts as allowed by the recently updated IRS guidelines.

RECOMMENDATION: Approval

Tab 11 Approval and signature of the plan amendment from MetLife, the provider of the Basic and Additional Life insurance for the group health plan, to clarify the purchase and benefit award of additional life insurance.

RECOMMENDATION: Approval

Tab 12 Approval to accept the Agreement for Inpatient Services, Inpatient Stop-Loss, Obstetrical Care, and Outpatient Services provided by Florida Hospital Waterman Healthcare Systems, Inc. (FHWS) when charges are incurred for Lake County employees in the FHWS/Waterman CPO.

RECOMMENDATION: Approval

E. Growth Management

Tab 13 Approval and execution of a Satisfaction and Release of Fine for property owned by George A. Gillis, CEB Number 2004020015.

RECOMMENDATION: Approval

Tab 14 Approval and execution of a Satisfaction and Release of Fine for property owned by Kevin T. and June Montgomery, CEB Number 2000100279.

RECOMMENDATION: Approval

Tab 15 Approval to advertise Ordinance amending Section 11.01.04, of the Land Development Regulations concerning Exempt Signs.

RECOMMENDATION: Approval

Tab 16 Approval to advertise Ordinance amending Section 3.01.03, of the Land Development Regulations concerning Schedule of Permitted and Conditional Uses.

RECOMMENDATION: Approval

F. Procurement Services

Tab 17 Approval to authorize the Procurement Services Director to advertise for Lake County's Bids and Proposals; award the contracts and issue the appropriate contract documents for all capital equipment approved in the budget processes throughout the Fiscal Year 2005-2006, provided the total award amount for each item is less than ten percent (10%) above the approved estimated budgeted amount, and appropriately budgeted funds are available; and award and renew all annual term and supply contracts – *each action shall be in accordance with the Procurement Policies and Procedures.*

RECOMMENDATION: Approval

Tab 18 Approval to declare the items on the attached lists surplus to County needs; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Interim Procurement Services Director to sign the vehicle titles.

RECOMMENDATION: Approval

G. Public Safety

Tab 19 Approval for Lake County to increase their participation in the Region 5 Florida Domestic Homeland Security Task Force, Community Oriented Policing Services (COPS) matching grant program for funding communications interoperability – *Lake County's increased funding match will be \$195,261.00.*

RECOMMENDATION: Approval

H. Public Works

Tab 20 Approval and authorization for the Chairman to execute the Agreement of an extension until February 1, 2006 for the 2004-2005 Capital Improvement Grant for the Town of Lady Lake.

RECOMMENDATION: Approval

Tab 21 Approval and authorization for the Chairman to execute the Agreement of an extension until September 30, 2006 for the 2004-2005 Capital Improvement Grant for the City of Mascotte.

RECOMMENDATION: Approval

Tab 22 Approval and authorization for the Chairman to execute the Agreement for an extension until September 30, 2006 for two Capital Improvement Grants for the City of Umatilla.

RECOMMENDATION: Approval

Tab 23 Approval of the request by The Cove at Lady Lake Partners, LTD regarding Edwards Road for Transportation Impact Fee payment deferral until they request the Certificate of Occupancy (C.O.) of their buildings on the site, this will allow them to utilize the Impact Fee Credits available per a previous Agreement.

RECOMMENDATION: Approval

Tab 24 Approval of a contract Change Order for the Hooks Street Phase II and Citrus Tower Boulevard Project (Citrus Tower Boulevard and State Road 50) in the amount of \$20,981.00.

RECOMMENDATION: Approval

Tab 25 Approval and signature of Resolution to advertise public hearing for Vacation Petition Number 1060 by Robert M. Aicken, Representative Leslie Campione, to vacate right of way, in the Plat of Dream Lake Poultry Ranches, located in Section 05, Township 18 East, Range 26 South, in the Umatilla area – Commission District 5.

RECOMMENDATION: Approval

Tab 26 Approval and signature of Resolution to advertise public hearing for Vacation Petition Number 1061 by Ali Manji, Representative Donna Hall, to vacate an easement, in the Plat of Groveland Farms, located in Section 31, Township 22 South, Range 25 East, in the Groveland area – Commission District 2.

RECOMMENDATION: Approval

Tab 27 Approval and signature of Resolution to advertise public hearing for Vacation Petition Number 1062 by Dennis A. Mulholland, Representative Noelle Phillips, to vacate drainage and utility easement, in the Plat of Picciola Harbors, located in Section 01, Township 19 South, Range 24 East, in the Fruitland Park area – Commission District 1.

RECOMMENDATION: Approval

Tab 28 Approval and authorization to accept the final plat for Sweet Iron Estates and all areas dedicated to the public as shown on the Sweet Iron Estates plat. Sweet Iron Estates consists of nine lots – Commission District 5.

RECOMMENDATION: Approval

Tab 29 Approval to accept two Drainage Easements, three Statutory Warranty Deeds, and three Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easements that have been secured in conjunction with roadway and/or stormwater projects.

RECOMMENDATION: Approval

Tab 30 Approval for remaining funds from the 2005 Summer Middle School program to go to the 2004-2005 Youth Recreation Assistance Program.

RECOMMENDATION: Approval

Tab 31 Approval and authorization to accept the final plat for Thrill Hill Farms and all areas dedicated to the public as shown on the Thrill Hill Farms plat; accept a Maintenance Bond in the amount of \$9,776.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Olifa Development, Inc.; and execute a Resolution accepting the following road into the County Road Maintenance System: Pony Trail Court (County Road Number 5880A). Thrill Hill Farms consists of four lots – Commission District 4.

RECOMMENDATION: Approval

Tab 32 Approval and authorization to accept the final plat for Grand Island Ridge and all areas dedicated to the public as shown on the Grand Island Ridge final plat; accept a Letter of Credit in the amount of \$319,000.00; and execute a Developer's Agreement for Construction of Improvements between Lake County and Palmer Homes. Grand Island Ridge consists of 68 lots – Commission District 5.

RECOMMENDATION: Approval

Tab 33 Approval and signature on the Agreement between Lake County and Florida Central Railroad Company, Inc. relating to Fairview Avenue, Grande Oak Estates Subdivision.

RECOMMENDATION: Approval

Tab 34 Approval and signature on the Resolution authorizing the posting of speed limit signs on the following roads in the Spring Valley Subdivision in the Clermont area:

Brandiwine Court	0946A	Goldenstar Lane	1047B
Willow Grove Lane	1045B	Copperleaf Way	1047C
Still Meadow Drive	1045C	Silver Leaf Circle	1047D
Baybrook Lane	1045D	Windflower Court	1048
Pinyon Drive	1046	Roper Boulevard	1048A
Foxglove Drive	1046A	Sunshine Drive	1145B
Caspian Drive	1047	Sunshine View Court	1145C
Woodglen Circle	1047A	Sunshine Circle	1145D

RECOMMENDATION: Approval

V. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 35 through 37)

A. Environmental Services

Tab 35 Discussion of Home Heating Oil Recovery Program.

B. Procurement Services

Tab 36 Approval of the contract for the purchase of an integrated financial system to Tyler Technologies, Inc. – Munis Division; approval of the attached budget transfer to move the funds from the designated reserve line for this purchase; and approval of the initial payment due upon execution of the contract.

RECOMMENDATION: Approval

Tab 37 Approval of Resolution adopting Fee Schedules for Fiscal Year 2005-2006.

RECOMMENDATION: Approval

VI. PUBLIC HEARING

A. PUBLIC HEARING – 5:05 P.M. or as Soon Thereafter

1. PUBLIC HEARING

PUBLIC HEARING: Final Budget Hearing

VII. OTHER BUSINESS (Tab 38)

Tab 38 Ratification of Emogene Stegall as the 2005 Women's Hall of Fame inductee as selected by the Women's Hall of Fame Committee.

VIII. REPORTS

A. County Attorney (Tab 39 through 47)

Tab 39 Approval of letter of renewal for Lease Agreement for Clerk's Office, 1206 Bowman Street, Sunnyside Plaza, Clermont.

Tab 40 Approval and execution of Amendment to Lease Agreement between Village Center Community Development District and Lake County for Property Appraiser space at 914 Avenida Central, The Villages.

Tab 41 Approval to advertise Ordinance amending Chapter 9, Lake County Code regarding Court Costs.

Tab 42 Approval of outside legal services with Bruce Duncan relating to renewal of Agreement for Board of Building Examiners.

Tab 43 Approval and execution of the Lease Agreement between Lake County and the Lake Agriculture and Youth Fair Association, Inc. for use of the Lake County Expo Center/Fairgrounds and buildings from March 24, 2006 through April 23, 2006.

Tab 44 Approval of rates for outside counsel.

Tab 45 Approval of the First Amendment to Harvard Jolly Clees Toppe Architect Agreement and approval of Agreement with Cagan Crossing, LTD, for design modification in relation to the Citrus Ridge Library.

Tab 46 Approval of Agreement with Stenstrom, McIntosh, Colbert, Whigham, Reischmann & Partlow, P.A. for eminent domain counsel.

Tab 47 Approval of Settlement with Corporate Express in the amount of \$40,094.00.

B. County Manager

C. Commissioner Hill – Chairman and District #1 (Tab 48)

Tab 48 Approval and execution of Proclamation designating the month of September as National Alcohol and Drug Addiction Recovery Month.

Discussion of Salary Survey for the County Manager and County Attorney.

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

SEPTEMBER 27, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

OCTOBER 4, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING: Ordinance Amending Division 8, Chapter 2, Lake County Code,
or as Soon regarding Changing the Name of Lake County Citizens' Commission for Children
Thereafter

TENTATIVE AGENDA

OCTOBER 11, 2005

9:00 A.M. Board Retreat – Capital Improvement Projects

TENTATIVE AGENDA

OCTOBER 18, 2005

9:00 A.M. Regular Meeting

10:00 A.M. PRESENTATION: Minneola Traffic Study

TENTATIVE AGENDA

OCTOBER 25, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

NOVEMBER 1, 2005

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

NOVEMBER 8, 2005

9:00 A.M. Board Retreat

TENTATIVE AGENDA

NOVEMBER 15, 2005

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

NOVEMBER 22, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)